

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

**DAVID ALVAREZ, III, JORDAN
CRIST, and ROWLAND GLEED,**

Plaintiffs,

vs.

**AMB-TRANS INC. d/b/a AMBTRANS
AMBULANCE, MAURICE SHANER,
II, MITCHEL SHANER, ANA
ROMMEL, DAVID L. SURINA, and
DONNE STEWARD, Individually and
in their Official Capacity,**

Defendants.

**CIVIL ACTION NO.
SA-11-CA-0179-XR**

AFFIDAVIT /DECLARATION OF GLENN D. LEVY

1. "My name is Glenn D. Levy. I am the lead attorney for the record for the Plaintiff's, David Alvarez, III, Jordan Crist, and Rowland Gleed in the above Numbered and styled civil action. I have personal knowledge of the following facts which are true and correct:
2. I have been a licensed attorney in the State of Texas for over 21 years
3. I started my career as a law clerk for the honorable George P. Kazen, United States District Judge, Southern District of Texas, Laredo Division. I served as his law clerk from August of 1991 until August of 1992. Next, I served as an associate attorney at the law firm of Akin, Gump, Strauss & Feld, L.L.P. in San Antonio, Texas. In 1997, I became the attorney in charge of the Labor and Employment Law section at The Law Firm of Person, Whitworth, Ramos, Morales & Borchers, L.L.P. In 2000, I became the attorney and counsel in charge of the Labor and Employment Law Section for the San Antonio office of Strassburger and Price, L.L.P. On or about January 2003, I formed the Law Office of Glenn D. Levy where my primary focus is labor and employment law and commercial trial litigation.

4. I am board certified by the Texas Board of Legal Specialization in Labor and Employment Law. I have been board certified in this specialty since 1997. I represent both employees and employers in employment litigation. I currently and actively litigate employment cases in the Untied States District Court for the Western District of Texas. As well as in various Texas state district courts. I have tried cases to verdict in both in the State of Texas District Courts as well as in the Western and Southern District of Texas. I have also handled appeals before the Texas Appellate Court System as well as the 5th Circuit Court of Appeals.
5. I have lectured on various employment and civil practices including Title VII of the Civil Rights Act, The Americans with Disabilities Act, The Age Discrimination in Employment Act, The Family and Medical Leave Act, The At-Will Doctrine in Texas, The Fair Labor Standards Act, The Nation Labor Relations Act, and other various state and federal employment and labor codes and statutes throughout the past 21 years.
6. I and another attorney previously employed by my firm at various times diligently prosecuted the instant case. I also employed paralegals in the preparation of this case. We conducted an investigation of the facts, researched the applicable law, filed the complaint in the instant case, propounded and responded to written discovery requests, and requests for document production, prepared for and participated in the deposition of the Plaintiff, and interviewed various witnesses.
7. We successfully opposed the Defendant's Motion for Summary Judgment, prepared witness lists, jury questions, jury charges, a motion in limine, findings of fact, and conclusions of law. We have tried this case to verdict. This case involves unique issues concerning The Fair Labor Standards Act. Additionally, I have endeavored to settle this case since early on in this litigation. Prior to verdict, Defendants did not act in good faith to settle Plaintiffs' claims.
8. Attached to the Plaintiff's petition for attorney's fees, as Exhibit B and to this Affidavit, is a true and accurate statement concerning my firms time and cost expended on this matter and our respective hourly rates of the time period of January 2011 until The instant Motion For Fees. As Exhibit B shows, the following attorneys and paralegals expended the following time on this matter:

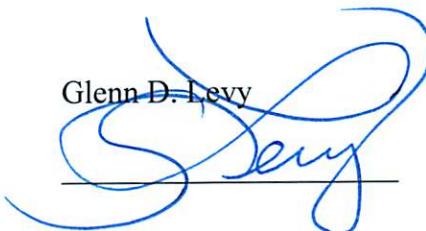
Attorneys

- A. Lead Attorney: Glenn D. Levy – 205.5 hours at \$385.00 an hour
- B. Support Attorney No. 1: Larry Gee - 30 hours at \$300.00 an hour
- C. Paralegal No. 1: Adriana Lozano – 4.7 hours at \$75.00 an hour

9. I am familiar with billable rates for attorneys with comparable experience in the San Antonio area. The rate of \$385.00 is fair, customary and reasonable for attorneys with over twenty-one (21) years experience, with extensive trial and litigation court experience in the state and federal courts. My total attorney's fees of \$79, 117.50 was necessary, fair and reasonable to prosecute this case.
10. Larry Gee's hourly rate of 300.00 is fair, customary and reasonable for attorneys with over 15 years experience who have had trial experience in the state and federal courts. Larry Gee is a Board Certified in Labor and Employment Law by the Texas Board of Legal Specialization. Larry Gee's attorney's fees of 9,000.00 was necessary, fair and reasonable to prosecute this case.
11. A paralegals hourly rate of \$75.00 per hour is fair, customary and reasonable. Adriana Lozano's total paralegal hours of 4.7 hours was necessary, fair and reasonable to prosecute this case, and the total fees of \$352.50. was fair and reasonable.
14. The total attorneys' fees in the sum of \$88,117.50 is fair, necessary and reasonable for the prosecution of this case.
15. If called to testify, I could competently testify as to the foregoing facts."

Dated: 2/12/2012

Glenn D. Levy

A handwritten signature in blue ink that reads "Glenn D. Levy". The signature is fluid and cursive, with "Glenn" on the top line and "D. Levy" on the bottom line, all in a single continuous stroke.

"I declare under penalty of perjury that the foregoing is true and correct"

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**AMB-TRANS INC. d/b/a AMBTRANS
AMBULANCE, MAURICE SHANER, II,
MITCHEL SHANER, ANA ROMMEL,
DAVID L. SURINA, and DONNA
STEWART, Individually and in their
Official Capacity,**

Defendants.

**CIVIL ACTION NO.
SA-11-CA-0179-XR**

LODESTAR TIME RECORDINGS

Date	Description	Time-Keeper	Rate	Time Billed
01/11/11	Initial meeting with David Alvarez III	GDL	\$385	3.0
01/13/11	Initial meeting with Jordan Crist	GDL		1.0
01/13/11	Initial meeting with Rowland Gleed	GDL		2.5
02/02/11	Meeting with David Alvarez regarding issues for complaint; Telephone conferences with Gleed & Crist regarding same	GDL		2.0
02/07/11	Begin gathering client documents and evidence for filing petition; research Secretary of State UCC records concerning business entity and registered agents for service	GDL		1.0
02/21/11	Preparation of Plaintiff's Original Complaint; research Fair Labor Standards Act concerning treating of Plaintiffs as non-exempt employees	GDL		5.0
02/28/11	Continue preparation of Plaintiff's Original Complaint, civil cover sheet and summons; continue research of Fair Labor Standards Act claims, entitlement of damages and attorney's fees	GDL		3.0

02/28/11	Telephone conference with Mitchel Shaner regarding waiver of citation and acceptance of service for Original Complaint	GDL		.30
03/04/11	Finalize and E-File Plaintiff's Original Complaint	GDL	\$	.50
03/04/11	Exchange Email correspondence with Richard of RAM Private Process Service regarding new lawsuit, issuance of citations, and service of summons	GDL	\$	.50
03/09/11	Prepare correspondence to David Alvarez with copy of Plaintiffs' Original Complaint	GDL	\$	.20
03/23/11	Exchange E-mail correspondence with Richard of RAM Private Process Service requesting alternate address for service on David Surina and Ana Rommel and skip-trace results and report of findings and investigation of Mitchel Shaner; reported that Mitchel is Maurice Shaner's brother.	GDL	\$	.50
03/30/11	Review Defendants' Answer and Defenses to Complaint filed by AmbTrans and Maurice Shaner	GDL	\$	.30
03/31/11	Prepare correspondence to David Alvarez with copy of Defendants' Answer and Defenses to Complaint	GDL	\$	.20
03/31/11	Prepare correspondence to Jordan Crist with copy of Defendants' Answer and Defenses to Complaint	GDL	\$	.20
03/31/11	Prepare correspondence to Roland Gleed with copy of Defendants' Answer and Defenses to Complaint	GDL	\$	.20
03/31/11	Review ORDER and Advisory of the Court directing Plaintiff to submit a scheduling order by May 6, 2011	GDL	\$	.20
04/01/11	Prepare correspondence to clients with copy of Order and Advisory	GDL	\$	.20
04/01/11	Review Defendant's Answer Defenses to Complaint filed by Michael Hawk	GDL	\$	.30
04/12/11	Review Defendant's Answer Defenses to Complaint filed by Donna Stewart	GDL	\$	.30

04/14/11	Prepare correspondence to clients with copy of Answers filed by Michael Hawk and Donna Stewart	GDL	\$	.20
04/14/11	Review correspondence from Mitchel Shaner summarizing telephone conference for acceptance of service and denying ownership and/or legal affiliation with Amb-Trans	GDL	\$	.20
04/18/11	Review Summons Return of Private Service on Michael Hawk, Donna Stewart, Mitchell Shaner, David Surina and Ana Rommel.	GDL	\$	.20
04/18/11	Review additional correspondence from Mitchel Shaner stating that he has no affiliation with the company and further stating that he is not a defendant in this matter.	GDL	\$	.20
04/19/11	Prepare correspondence to David Alvarez regarding file-stamped summons for service of citation on David Surina and Michael Hawk, and enclosing correspondence from Michael Shaner stating that he is not a defendant in this matter.	GDL	\$	.30
04/21/11	Review Answer filed by Mitchell Shaner	GDL	\$	.20
04/27/11	Review Defendants' Amb-Trans and Maurice Shaner's Motion for Judgment on the Pleadings	GDL	\$	.30
04/28/11	Telephone calls to Thomas Crane, opposing counsel, concerning Motion for Judgment on Pleadings	GDL	\$	.30
05/04/11	Continue efforts and telephone calls to opposing counsel concerning Motion for Judgment on Pleadings and attempt to confer for scheduling order deadlines	GDL	\$	.20
05/05/11	Continue efforts and telephone calls to opposing counsel concerning Motion for Judgment on Pleadings and attempt to confer for scheduling order deadlines	GDL	\$	.30
05/06/11	Review correspondence from opposing counsel regarding scheduling unavailability	GDL	\$	.20
06/01/11	Review Court's Order denying Defendants' Motion			

	for Judgment on Pleadings concerning Plaintiffs' minimum and overtime wages claims under the FLSA	GDL	\$	.30
06/27/11	Review Defendants Donna Stewart, Michael Hawk and Maurice Shaner's Advisory regarding non-consent to trial by Magistrate Judge.	GDL	\$	.20
06/28/11	Review correspondence from opposing counsel regarding suggestions for scheduling order dates	GDL	\$	.20
07/07/11	Review Motion for Permission to E-File and Motion to Dismiss filed by Mitchell Shaner	GDL	\$	.20
07/18/11	Review Order from the Court granting Motion for Permission to E-File filed by Mitchell Shaner	GDL	\$	.20
07/20/11	Begin preparing Plaintiffs' First Amended Original Complaint	GDL	\$	.50
08/16/11	Review Defendant's ADR Report consenting to Alternative Dispute Resolution	GDL	\$	.20
08/22/11	Review Defendant Maurice Shaner's Motion to Enter Scheduling Order	GDL	\$	.20
08/23/11	Review Defendant Maurice Shaner's Motion to Dismiss Count III of Original Complaint	GDL	\$	.30
08/30/11	Review Order setting hearings on Mitchell Shaner's Motion for Dismissal from lawsuit, Defendant's Motions to Enter Scheduling Order and to Dismiss Count III of Plaintiffs' Original Complaint	GDL	\$	.30
10/03/11	Begin preparing for hearings on pending motions; analyze and prepare for response to Defendant's Motion to Dismiss Count III of Plaintiffs' Original Complaint	GDL	\$	1.0
10/05/11	Attend hearings on pending Motions of Mitchell Shaner and Defendants concerning entering of Scheduling Order and to Dismiss Count III of Plaintiff's Original Complaint	GDL	\$	1.0
10/05/11	Review Court's Minute Entry for proceedings held			

	before Judge Xavier Rodriguez concerning outcome of hearings on pending motions	GDL	\$	.20
10/05/11	Review Scheduling and Docket Control Order	GDL	\$	.30
10/05/11	Review Order Granting Motion to Dismiss Mitchell Shaner from lawsuit, Motion to Enter Scheduling Order and Motion to Dismiss Count III of Plaintiff's Original Complaint and ordering Plaintiffs to amend complaint by 11/09/11	GDL	\$	.30
10/06/11	Prepare correspondence to David Alvarez, Rowland Gleed and Jordan Crist with copies of Scheduling Order and Orders granting Motion to Dismiss Mitchell Shaner from lawsuit, Motion to Enter Scheduling Order and Motion to Dismiss Count III of Plaintiff's Original Complaint and ordering Plaintiffs to amend complaint by 11/09/11	GDL	\$	.30
10/17/11	Begin research for resolution to amendment and dismissal of Count III to Plaintiffs' Original Complaint	GDL	\$	2.0
11/06/11	Begin preparing Plaintiffs' First Amended Complaint	GDL	\$	.50
11/09/11	Finalize and E-File Plaintiffs' First Amended Complaint	GDL	\$	2.0
11/09/11	Prepare correspondence to David Alvarez with copy of Plaintiffs' First Amended Complaint	GDL	\$	.20
11/09/11	Prepare correspondence to Rowland Gleed with copy of Plaintiffs' First Amended Complaint	GDL	\$	.20
11/09/11	Prepare correspondence to Jordan Crist with copy of Plaintiffs' First Amended Complaint	GDL	\$	.20
11/15/11	Begin preparing discovery to Defendants including First Set of Interrogatories and First Set of Requests for Production to AMB-Trans, Maurice Shaner, Mitchel Shaner, Michael Hawk, Ana Rommel, David Surina and Donna Stewart	GDL	\$	2.0
11/19/11	Continue preparation of discovery to Defendants including First Set of Interrogatories and First Set of	GDL	\$	4.5

	Requests for Production to AMB-Trans, Maurice Shaner, Mitchel Shaner, Michael Hawk, Ana Rommel, David Surina and Donna Stewart			
12/03/11	Continue preparation of discovery to Defendants including First Set of Interrogatories and First Set of Requests for Production to AMB-Trans, Maurice Shaner, Mitchel Shaner, Michael Hawk, Ana Rommel, David Surina and Donna Stewart	GDL	\$	3.5
12/30/11	Finalize discovery requests to Defendants including First Set of Interrogatories and First Set of Requests for Production to AMB-Trans, Maurice Shaner, Mitchel Shaner, Michael Hawk, Ana Rommel, David Surina and Donna Stewart	AL	\$	2.0
12/30/11	Prepare correspondence to opposing counsel with discovery requests to Defendants including First Set of Interrogatories and First Set of Requests for Production to AMB-Trans, Maurice Shaner, Mitchel Shaner, Michael Hawk, Ana Rommel, David Surina and Donna Stewart	GDL	\$	.10
12/30/11	Review calendaring schedule; prepare correspondence to opposing counsel requesting deposition of Maurice Shaner for late January and or early February 2012	GDL	\$	.30
01/09/12	Review Defendants, Amb-Trans and Maurice Shaner II's First Amended Answer and Defenses to Plaintiffs' First Amended Original Complaint; Telephone call with clients regarding same	GDL	\$	.40
01/09/12	Review Defendant, Michael Hawk's First Amended Answer and Defenses to Plaintiffs' First Amended Original Complaint	GDL	\$	.10
01/09/12	Review Defendant, Donna Stewart's First Amended Answer and Defenses to Plaintiffs' First Amended Original Complaint	GDL	\$	.10
01/11/12	Prepare correspondence to David Alvarez with copies of Defendants, Amb-Trans and Maurice Shaner II's First Amended Answer and Defenses to Plaintiffs' First Amended Original Complaint, Defendant, Michael Hawk's First Amended Answer and	GDL	\$	.30

	Defenses to Plaintiffs' First Amended Original Complaint and Defendant, Donna Stewart's First Amended Answer and Defenses to Plaintiffs' First Amended Original Complaint			
01/13/12	Review correspondence from opposing counsel with discovery requests to Plaintiff Jordan Crist to include First Set of Interrogatories and First Set of Request for Production of Documents	GDL	\$	.20
01/13/12	Prepare correspondence to Jordan Crist with copies of correspondence from opposing counsel and discovery requests to Plaintiff Jordan Crist to include First Set of Interrogatories and First Set of Request for Production of Documents	GDL	\$	.20
01/13/12	Review correspondence from opposing counsel with discovery requests to Plaintiff David Alvarez to include First Set of Interrogatories and First Set of Request for Production of Documents	GDL	\$	.20
01/13/12	Review correspondence from opposing counsel with discovery requests to Plaintiff Rowland Gleed to include First Set of Interrogatories and First Set of Request for Production of Documents	GDL	\$	.20
01/13/12	Prepare correspondence to Jordan Crist with copies of correspondence from opposing counsel and discovery requests to Plaintiff Jordan Crist to include First Set of Interrogatories and First Set of Request for Production of Documents	GDL	\$	.20
01/17/12	Prepare correspondence to David Alvarez with copies of correspondence from opposing counsel including instructions for answering discovery requests from Defendant to include First Set of Interrogatories and First Set of Request for Production of Documents	GDL	\$	.20
01/20/12	Prepare correspondence to David Alvarez with copies of discovery requests from Defendant to Plaintiffs Jordan Crist and Rowland Gleed to include First Set of Interrogatories and First Set of Request for Production of Documents	GDL	\$	.20
01/23/12	Review correspondence from opposing counsel regarding Mr. Shaner's deposition availability and	GDL	\$	.20

	requesting deposition availability of Plaintiffs Alvarez, Gleed and Crist's depositions			
01/23/12	Prepare correspondence to David Alvarez with copies of correspondence from opposing counsel regarding Mr. Shaner's deposition availability and requesting deposition availability of Plaintiffs Alvarez, Gleed and Crist's depositions	GDL	\$	.20
01/23/12	Prepare correspondence to David Alvarez, Jordan Crist and Rowland Gleed with copies of correspondence from opposing counsel regarding discovery, depositions of David Alvarez, Jordan Crist and Rowland Gleed, and First Amended Scheduling Order	GDL	\$	.30
01/24/12	Begin working on Plaintiff's Motion to Extend Certain Scheduling Order Deadlines and proposed Order; telephone call to opposing counsel regarding certificate of conference	GDL	\$	.50
01/27/12	Review correspondence from opposing counsel regarding depositions of Plaintiffs Alvarez, Gleed and Crist; review Defendant's Notice of Intention to Take the Oral Deposition of David Alvarez; review Defendant's Notice of Intention to Take the Oral Deposition of Jordan Crist; review Defendant's Notice of Intention to Take the Oral Deposition of Rowland Gleed	GDL	\$	.40
01/27/12	Telephone calls to Plaintiffs Alvarez, Gleed and Crist regarding deposition notices and discovery responses	GDL	\$	.60
01/27/12	Prepare correspondence to David Alvarez with copy of Defendant's Notice of Intention to Take the Oral Deposition of David Alvarez	GDL	\$	.20
01/27/12	Prepare correspondence to Jordan Crist with copy of Defendant's Notice of Intention to Take the Oral Deposition of Jordan Crist	GDL	\$	.20
01/27/12	Prepare correspondence to Rowland Gleed with copy of Defendant's Notice of Intention to Take the Oral Deposition of Rowland Gleed	GDL	\$	.20
01/30/12	Begin preparing responses and objections from Plaintiff Alvarez to Defendant's First Set of Requests for Production; review documents produced by Plaintiff Alvarez for disclosure and discovery	GDL	\$	1.0

01/30/12	Begin preparing answers and objections from Plaintiff Alvarez to Defendant's First Set of Interrogatories	GDL	\$	1.0
01/30/12	Begin preparing responses and objections from Plaintiff Crist to Defendant's First Set of Requests for Production	GDL	\$	1.0
01/30/12	Begin preparing answers and objections from Plaintiff Crist to Defendant's First Set of Interrogatories	GDL	\$	1.0
01/30/12	Begin preparing responses and objections from Plaintiff Gleed to Defendant's First Set of Requests for Production	GDL	\$	1.0
01/30/12	Begin preparing answers and objections from Plaintiff Gleed to Defendant's First Set of Interrogatories	GDL	\$	1.0
01/30/12	Prepare Plaintiff's Motion to Extend Certain Scheduling Order Deadlines and proposed First Amended Scheduling Order	GDL	\$	1.0
01/31/12	Finalize and E-File Plaintiff's Motion to Extend Certain Scheduling Order Deadlines with proposed First Amended Scheduling Order	AL	\$	3.0
02/03/12	Review correspondence from opposing counsel regarding discovery and enclosing responses to Defendants' Interrogatories and Request for Production; transmittal and conversations with clients regarding same	GDL	\$	.20
02/03/12	Review Defendant AMB-Trans, Inc.'s Objections and Responses to Plaintiffs' First Set of Interrogatories; review Defendant Maurice Shaner II,'s Objections and Responses to Plaintiffs' First Set of Interrogatories; review Defendant Donna Stewart's Objections and Responses to Plaintiffs' First Set of Interrogatories; review Defendant Michael Hawk's Objections and Responses to Plaintiffs' First Set of Interrogatories; review Defendant AMB-Trans, Inc.'s Objections and Responses to Plaintiffs' First Request for Production; review Defendant Donna Stewart's	GDL	\$	1.0

	Objections and Responses to Plaintiffs' First Set of Request for Production; review Defendant Michael Hawk's Objections and Response to Plaintiffs' First Request for Production; review Defendant Maurice Shaner II's Objections and Responses to Plaintiffs' First Request for Production			
02/03/12	Comprehensive review of all Defendants discovery production of documents Bates-labeled 00001 through 00294	GDL	\$	3.5
02/03/12	Review correspondence from opposing counsel and Notice of Deposition for David Alvarez (02/23/12), Notice of Deposition for Rowland Gleed (02/23/12) and Notice of Deposition for Jordan Crist (02/24/12)	GDL	\$	.20
02/03/12	Review First Amended Scheduling Order signed by Judge Rodriguez; Transmittal of same	GDL	\$	.20
02/08/12	Finalize objections and answers of Plaintiff David Alvarez to Defendant's First Set of Interrogatories	GDL	\$	.50
02/08/12	Finalize objections and responses of Plaintiff David Alvarez to Defendant's First Set of Requests for Production; Bates-label document production	GDL	\$	1.0
02/08/12	Finalize objections and answers of Plaintiff Jordan Crist to Defendant's First Set of Interrogatories	GDL	\$	.50
02/08/12	Finalize objections and responses of Plaintiff Jordan Crist to Defendant's First Set of Requests for Production	GDL	\$	.50
02/08/12	Finalize objections and answers of Plaintiff Rowland Gleed to Defendant's First Set of Interrogatories	GDL	\$	.50
02/08/12	Finalize objections and responses of Plaintiff Rowland Gleed to Defendant's First Set of Request for Production	GDL	\$	.50

02/09/12	Prepare correspondence to opposing counsel with Objections and Answers from Plaintiffs Alvarez, Crist and Gleed to Defendant's First Set of Interrogatories and Objections and Responses to Defendant's First Set of Request for Production	GDL	\$	.20
02/22/12	Prepare witnesses, Alvarez, Rowland and Crist for deposition seperately	LGee	\$300	9.5
02/23/12	Prepare for and attend deposition of David Alvarez and Rowland Gleed	LGee	\$	9.0
02/24/12	Prepare for and attend deposition of Jordan Crist	LGee	\$	4.0
02/27/12	Review correspondence from opposing counsel regarding deficiencies in discovery responses of Jordan Crist	GDL	\$	.40
02/27/12	Prepare correspondence to Jordan Crist with copy of correspondence from opposing counsel regarding deficiencies in discovery responses of Jordan Crist	GDL	\$	.20
03/05/12	Review correspondence from opposing counsel with additional Bates-stamped document production	GDL	\$	.20
03/05/12	Comprehensive review of Defendants document production of documents Bates-labeled 00295 through 00431	GDL	\$	.80
03/07/12	Review correspondence from opposing counsel with Defendant's Designation of Potential Witnesses, Testifying Experts and Proposed Exhibits; review designation of witnesses, testifying experts and proposed exhibits	GDL	\$	.30
03/07/12	Prepare correspondence to Plaintiffs Alvarez, Crist and Gleed with copy of correspondence from opposing counsel and Defendant's Designation of Potential Witnesses, Testifying Experts and Proposed Exhibits	GDL	\$	.20
03/07/12	Review Pretrial Disclosures E-filed by Defendant AMB-Trans, Inc.	GDL	\$	.20
03/09/12	Review correspondence from opposing counsel			

	regarding deficiencies and concerns in Plaintiff David Alvarez's discovery responses and attempt to confer	GDL	\$	.40
03/09/12	Prepare correspondence to Plaintiffs regarding correspondence from opposing counsel and deficiency concerns in discovery responses	GDL	\$	.20
03/09/12	Review additional correspondence from opposing counsel expressing concerns in Plaintiff Jordan Crist's discovery responses and attempt to confer	GDL	\$	.40
03/09/12	Prepare correspondence to Jordan Crist regarding correspondence from opposing counsel and deficiency concerns in discovery responses	GDL	\$	.20
03/09/12	Review correspondence from opposing counsel regarding deficiencies and concerns in Plaintiff Rowland Gleed's discovery responses and attempt to confer	GDL	\$	.40
03/09/12	Prepare correspondence to Rowland Gleed regarding correspondence from opposing counsel and deficiency concerns in discovery responses	GDL	\$	.20
03/23/12	Multiple telephone conference with opposing counsel to confer regarding concerns and deficiencies in Plaintiffs Alvarez, Crist and Gleed's discovery responses (counsel never called)	GDL	\$	.50
03/26/12	Review correspondence from opposing counsel regarding Maurice Shaner listed as a reference by David Alvarez at Chase Bank and requesting that Mr. Alvarez not contact or reference Mr. Shaner while lawsuit is pending	GDL	\$	.20
03/26/12	Prepare correspondence to David Alvarez with copy of correspondence from opposing counsel regarding Maurice Shaner listed as a reference by David Alvarez at Chase Bank and requesting that Mr. Alvarez not contact or reference Mr. Shaner while lawsuit is pending	GDL	\$	.20
03/27/12	Receive and review Defendant's Motion to Compel Responses to Discovery by Plaintiff David Alvarez III and For Sanctions	GDL	\$	.50

03/27/12	Receive and review Defendant's Motion to Compel Responses to Discovery by Plaintiff Jordan Crist and For Sanctions	GDL	\$	.30
03/27/12	Receive and review Defendant's Motion to Compel Responses to Discovery by Plaintiff Rowland Gleed and For Sanctions	GDL	\$	.30
04/02/12	Begin amending discovery responses of Plaintiffs Alvarez, Crist and Gleed to Defendant's First Set of Interrogatories and Requests for Production	GDL	\$	1.0
04/04/12	Finalize Plaintiffs Alvarez, Crist and Gleed's Amended Objections and Answers to Defendant's First Set of Interrogatories and Amended Objections and Responses to Defendant's First Set of Requests for Production	GDL	\$	1.20
04/04/12	Prepare correspondence to opposing counsel for service of Plaintiffs Alvarez, Crist and Gleed's Amended Objections and Answers to Defendant's Interrogatories and Amended Objections and Responses to Defendant's First Request for Production	GDL	\$	.20
04/16/12	Telephone calls to Mr. Crane's office regarding withdrawal of Motions to Compel against Plaintiffs	GDL	\$	.20
04/18/12	Telephone conference with opposing counsel regarding Plaintiffs' amended responses to discovery and request to withdraw Motion to Compel; discussion regarding defense counsel's request for payment of attorney's fees and request to further amend responses and to re-produce Plaintiffs' Bates-labeled documents	LGee	\$300	.50
04/18/12	Prepare e-mail correspondence to opposing counsel with documents and re-produce Bates-labeled Alvarez 00001 through Alvarez 00058	AL	\$	.30
04/18/12	Begin preparing Plaintiffs' response to Motion to Compel; telephone conferences with opposing counsel in attempt to confer withdrawal of motions to compel	GDL	\$	.50

04/19/12	Begin amending Plaintiffs' Rule 26(a) Initial Disclosures	GDL	\$	1.50
04/19/12	Finalize and E-File Plaintiffs' Response to Defendants' Motions to Compel	GDL	\$	1.50
04/20/12	Review Defendants' Motion to Strike Plaintiffs' Response to motions to compel	GDL	\$	.30
04/20/12	Prepare correspondence to opposing counsel for service of Plaintiffs' Rule 26(a) Initial Disclosures	GDL	\$	.20
04/20/12	Finalize and E-File Plaintiffs' Rule 26(a) Initial Disclosures	GDL	\$	2.30
04/23/12	Review Defendants' Rule 26(a)(3) Disclosures	GDL	\$	.30
04/23/12	Prepare correspondence to Plaintiff's with copy of Defendants' Motion to Strike Plaintiffs' Response to Motions to Compel	GDL	\$	.20
04/25/12	Review ORDER Granting in Part, and Denying in Part, Defendants' Motions to Compel: Denying Defendants' Motion to Strike; And Returning Case to the District Court	GDL	\$	.30
04/25/12	Review correspondence from opposing counsel regarding Protective Order to protect information from being disclosed concerning Defendant Amb-Trans trade secret and revenue information and sealed filing of document Defendants received from the Department of Labor prior to producing	GDL	\$	.20
04/25/12	Review Agreed Protective Order from opposing counsel	GDL	\$	.40
04/25/12	Prepare correspondence to Plaintiff's with copy of Defendants' requested Agreed Protective Order, telephone call with all clients respectively re same	GDL	\$	.80
04/28/12	Review Defendants' Objections to Plaintiffs' Rule 26(a) Initial Disclosures	GDL	\$	.30

05/04/12	Telephone conference with opposing counsel regarding deficiencies in discovery and verifications; comprehensive review of file and telephone call to clients in search of supplemental discovery	LGee	\$	1.0
05/04/12	Begin preparing Plaintiff David Alvarez's Second Amended Objections and Responses to Defendant's First Set of Interrogatories and verification; Plaintiff Jordan Crist's Second Amended Objections and Responses to Defendant's First Set of Interrogatories and verification; and Plaintiff Rowland Gleed's Second Amended Objections and Responses to Defendant's First Set of Interrogatories and verification	LGee	\$	7.0
05/07/12	Meet with clients, David Alvarez and Rowland Gleed to finalize Plaintiff David Alvarez's Second Amended Objections and Responses to Defendant's First Set of Interrogatories and sign verification and to finalize Plaintiff Rowland Gleed's Second Amended Objections and Responses to Defendant's First Set of Interrogatories and sign verification	GDL	\$	1.5
05/07/12	Finalize Plaintiff Jordan Crist's Second Amended Objections and Responses to Defendant's First Set of Interrogatories and verification	AL	\$	.60
05/07/12	Prepare correspondence to opposing counsel for service of Plaintiff David Alvarez's Second Amended Objections and Responses to Defendant's First Set of Interrogatories and verification; Plaintiff Jordan Crist's Second Amended Objections and Responses to Defendant's First Set of Interrogatories and verification; and Plaintiff Rowland Gleed's Second Amended Objections and Responses to Defendant's First Set of Interrogatories and verification	GDL	\$	.20
05/09/12	Telephone conference with opposing counsel regarding settlement negotiations	GDL	\$	.30
05/16/12	Receive and review correspondence from opposing counsel offering \$1,000 per plaintiff to settle the case	GDL	\$	.20
05/17/12	Prepare correspondence to clients, Alvarez, Crist and Gleed with copy of correspondence from opposing counsel offering \$1,000 per plaintiff to settle the case	GDL	\$	.20

05/17/12	Begin preparing Alternative Dispute Resolution Report	GDL	\$	.50
05/18/12	Finalize and E-File Plaintiffs' Advisory regarding Alternative Dispute Resolution Report	AL	\$	.30
05/18/12	Review Defendant's Alternative Dispute Resolution Report	GDL	\$	.20
06/15/12	Comprehensive review Defendant's Motion for Summary Judgment including all exhibits	GDL	\$	1.0
06/15/12	Review Defendants' Motion for Leave to File Sealed Document (documents from Department of Labor	GDL	\$	.20
06/15/12	Begin preparing Plaintiffs' Emergency Motion for Leave to Enlarge Time to File Response to Defendants' Motion for Summary Judgment	GDL	\$	.50
06/15/12	Telephone calls to opposing counsel in attempt to confer regarding filing of emergency motion for leave to enlarge time and for extension of time to file response to Defendant's Motion for Summary Judgment	GDL	\$	.30
06/15/12	Finalize and E-File Plaintiffs' Emergency Motion for Leave to Enlarge Time to File Response to Defendants' Motion for Summary Judgment	AL	\$	.20
06/18/12	Review correspondence from opposing counsel regarding confidential documents filed under seal; review Defendants' Motion to File Records Under Seal; review confidential documents	GDL	\$	1.0
06/19/12	Receive and review E-Notice from U.S. District Court noting that Defendants' filed documents under seal	GDL	\$	.10
06/20/12	Review correspondence from opposing counsel regarding emergency motion and extension of more time to file response to Defendant's Motion for Summary Judgment	GDL	\$	.20

07/23/12	Begin research and review of case law and cases cited in Defendant's Motion for Summary Judgment; begin preparing response to Defendant's Motion for Summary Judgment	GDL	\$	1.50
08/06/12	Receive and review Court's Order Resetting Jury Selection and Trial to 10/29/12	GDL	\$	.20
08/06/12	Begin preparing Plaintiffs' Emergency Motion for Leave to Enlarge Time to File Response to Defendants' Motion for Summary Judgment	GDL	\$	.30
08/06/12	Telephone calls to opposing counsel in attempt to confer regarding filing of emergency motion for leave to enlarge time and for extension of time to file response to Defendant's Motion for Summary Judgment	GDL	\$	.50
08/07/12	Finalize and E-File Plaintiffs' Emergency Motion for Leave to Enlarge Time to File Response to Defendants' Motion for Summary Judgment	AL	\$	.30
08/08/12	Receive and review Defendants' response in opposition to Plaintiffs' motion for enlargement of time to respond to summary judgment	GDL	\$	.20
08/17/12	Review Court's Order granting in part Defendants' Motion for Summary Judgment and dismissing Plaintiffs' retaliation claims under the FLSA and denying in part Defendants' motion to dismiss Plaintiffs' wage claims	GDL	\$	.20
10/03/12	Telephone conference with opposing counsel regarding extension of pretrial order deadlines	GDL	\$	.50
10/04/12	Receive and review Joint Motion to Extend Pretrial Order Deadline	GDL	\$	.20
10/04/12	Receive and review Defendants' Motion in Limine	GDL	\$	.20
10/11/12	Receive and review correspondence from opposing counsel with Defendants' First Amended Proposed Witness List	GDL	\$	.20

10/11/12	Begin preparing Joint Pretrial Order and pretrial documents to include Joint Pretrial Order, Plaintiffs' Lists of Proposed Stipulated Facts, Statement of Claims, Requested Jury Instructions and Questions, Motion in Limine and proposed Order granting same	GDL	\$	3.50
10/12/12	Receive and review Court's Order Resetting Pretrial Conference	GDL	\$	.20
10/15/12	Telephone conference with opposing counsel regarding additional extension of time to file Joint Pretrial order	GDL	\$	.20
10/15/12	Prepare Plaintiffs' Unopposed Motion to Extend Joint Pretrial Order Deadline	GDL	\$	.30
10/15/12	Finalize and E-File Plaintiffs' Unopposed Motion to Extend Joint Pretrial Order Deadline	GDL	\$	.20
10/15/12	Continue preparing pretrial documents to include: Plaintiff's Motion in Limine, proposed Order granting Motion in Limine; Plaintiff's Estimate of Length of Trial; Plaintiff's Witness List	GDL	\$	7.50
10/17/12	Research voir dire questions and proposed jury charges in FLSA cases concerning wage claims; continue working on preparing pretrial documents to include: Plaintiffs' proposed voir dire questions; Plaintiffs' proposed Jury Charge; Plaintiffs' proposed Findings of Fact and Conclusions of Law; Plaintiffs' Stipulated Facts; Plaintiffs' Statement of the Case; review pleadings and discovery responses including document production in preparation of Plaintiffs' Exhibit List; begin preparation of trial notebook	GDL	\$	5.0
10/19/12	Review Pacer for pleadings and orders; prepare documents for pretrial conference; prepare trial notebook; prepare documents for opposing counsel to accompany pretrial order	GDL	\$	6.0
10/19/12	Telephone conference with opposing counsel regarding documents to accompany pretrial order; prepare correspondence to opposing counsel regarding list of pretrial documents submitted by Plaintiffs for Joint Pretrial Order and for e-filing with the court	GDL	\$	.60

10/19/12	Receive and review Defendant Maurice Shaner's Motion in Limine	GDL	\$	.10
10/19/12	Finalize and E-File Joint Pretrial Order	GDL	\$	.10
10/19/12	Finalize and E-File Plaintiffs' Motion in Limine and proposed Order granting same	GDL	\$	.10
10/19-21/12	Prepare for Pretrial conference to include review of all pretrial documents and trial notebook	GDL	\$	2.5
10/20/12	Receive and review Defendants' Unopposed Motion for Leave to File First Amended Motion in Limine and First Amended Exhibit List	GDL	\$	.20
10/20/12	Receive and review Defendants' Objections to Plaintiffs' Exhibits	GDL	\$	.30
10/22/12	Prepare for Attend pretrial conference and argue pretrial motions	GDL	\$	2.50
10/22/12	Receive and review Advisory and Court ruling on issue of coverage under FLSA	GDL	\$	.20
10/22/12	Receive and review Court's Notice concerning Minute Entry for proceedings held before Judge Xavier Rodriguez	GDL	\$	.10
10/22/12	Receive and review Court's Notice concerning Electronic Orders dismissing Motion in Limine [Doc 53]; dismissing Motion In Limine [Doc 56]; granting in part and denying in part Motion in Limine [Doc 57] and granting in part and denying in part Motion for Leave [Doc 59]	GDL	\$	.10
10/22/12	Begin trial preparation including: review of Defendant's Amended pretrial pleadings; telephone conferences and trial preparation with David Alvarez, Jordan Crist and Rowland Gleed; receive and review additional document production from Defendants to include paycheck stubs paid to David Alvarez	GDL	\$	8.0
10/23/12	Continue trial preparation including: review of pleadings and discovery; review amended pretrial	GDL	\$	8.0

	pleadings from opposing counsel; review orders from Judge Rodriguez; review supplemental discovery from opposing counsel; begin working on and review of Plaintiffs' trial exhibits and amending trial exhibit list to reflect exhibit numbers per request by Judge Rodriguez.			
10/24/12	Continue trial preparation including: Plaintiffs' First Amended Exhibit List; finalize and E-File Plaintiffs' First Amended Exhibits; receive and review Defendants' Second Amended Exhibits; prepare correspondence to opposing counsel requesting missing Bates-stamped documents and to discuss recent document production	GDL	\$	8.0
10/24/12	Discussions with Court regarding agreement to Bench Trial	GDL	\$	.20
10/25/12	Prepare and E-File Joint Advisory to the Court (of Plaintiffs' agreement to waive jury and proceed with Bench Trial)	GDL	\$	.50
10/25/12	Receive and review Court's E-Notice (Plaintiffs' agreement to waive trial by jury and proceed with Bench Trial)	GDL	\$	.20
10/25/12	Continue trial preparation including: Review and study Defendants' document production and supplemental document production; prepare Plaintiffs David Alvarez, Jordan Crist and Rowland Gleed for trial; telephone conferences with potential trial witnesses; review and study depositions of Alvarez, Crist, Gleed and Shaner; review exhibits and affidavits filed with Defendant's Motion for Summary Judgment; research wage and hour case law; review and prepare worksheets for clients to reflect hours not paid for and hours wrongfully deducted by employer	GDL	\$	8.0
10/26/12	Continue trial preparation including: Review and study Defendants' document production and supplemental document production; prepare Plaintiffs David Alvarez, Jordan Crist and Rowland Gleed for trial; telephone conferences with potential trial witnesses; review and study depositions of Alvarez, Crist, Gleed and Shaner; review exhibits and	GDL	\$	8.0

	affidavits filed with Defendant's Motion for Summary Judgment; research wage and hour case law; review and prepare worksheets for clients to reflect hours not paid for and hours wrongfully deducted by employer			
10/27/12	Continue trial preparation including: Review and study Defendants' document production and supplemental document production; prepare Plaintiffs David Alvarez, Jordan Crist and Rowland Gleed for trial; telephone conferences with potential trial witnesses; review and study depositions of Alvarez, Crist, Gleed and Shaner; review exhibits and affidavits filed with Defendant's Motion for Summary Judgment; research wage and hour case law; review and prepare worksheets for clients to reflect hours not paid for and hours wrongfully deducted by employer	GDL	\$	8.0
10/28/12	Continue trial preparation including: Review and study Defendants' document production and supplemental document production; prepare Plaintiffs David Alvarez, Jordan Crist and Rowland Gleed for trial; telephone conferences with potential trial witnesses; review and study depositions of Alvarez, Crist, Gleed and Shaner; review exhibits and affidavits filed with Defendant's Motion for Summary Judgment; research wage and hour case law; review and prepare worksheets for clients to reflect hours not paid for and hours wrongfully deducted by employer	GDL	\$	15.0
10/29/12	Bench Trial	GDL	\$	10.0
10/29/12	Receive and review Court's notice of Minute Entry [Bench Trial – Day 1]	GDL	\$	.10
10/30/12	Bench Trial	GDL	\$	8.0
10/30/12	Receive and review Court's notice of Minute Entry [Bench Trial – Day 2]	GDL	\$	.10
10/30/12	Receive and review Court's Notice of filing and review Witnesses called by Plaintiffs at Bench Trial Proceedings	GDL	\$	.20

10/30/12	Receive and review Court's Notice of filing and review Plaintiffs' Exhibit List	GDL	\$	.20
10/30/12	Receive and review Court's Notice of filing and review Witnesses called by Defendants at Bench Trial Proceedings	GDL	\$	.20
10/30/12	Receive and review Court's Notice of filing and review Defendants' Exhibit List	GDL	\$	.20
10/30/12	Review Court's Notices of Oral Motion and Order Granting Plaintiffs' Oral Motion To Dismiss individual Defendants Michael Hawk and Donna Stewart	GDL	\$	.10
10/31/12	Begin research of case law for employer's responsibility to keep adequate wage and hour records; order trial transcripts; review cases in preparation of Post-Trial brief	GDL	\$	2.0
11/01/12	Continue research; begin comprehensive review of trial transcripts for testimony concerning trial proceedings; begin preparing Post-Trial brief	GDL	\$	1.50
11/02/12	Receive and review Defendants' Proposed Findings of Fact and Conclusions of Law	GDL	\$	.40
11/02/12	Receive and review Defendants' Motion to Reopen for Additional Evidence; review additional evidence attached; begin preparing response to Defendants' Motion	GDL	\$	.60
11/02/12	Finalize and E-File Plaintiff's Post-Trial Brief	GDL	\$	.00
11/02/12	Comprehensive review of trial transcripts for testimony reference; prepare Plaintiffs' First Amended Post-Trial Brief	GDL	\$	2.0

11/02/12	Finalize and E-File Plaintiffs' First Amended Post-Trial Brief	GDL	\$	.00
11/07/12	Review Court's Order, Findings of Fact and Conclusions of Law; telephone conference with Alvarez, Crist and Rowland concerning explanation of Order; prepare correspondence to clients Alvarez, Crist and Rowland with copy of Order	GDL	\$	.50
11/08/12	Receive and review Defendants' Motion to Reconsider Court's Findings of Fact	GDL	\$	.30
11/08/12	Begin preparing response to Defendant's Motion to Reconsider Court's Findings of Fact; prepare proposed Order; research additional case law	GDL	\$	2.0
11/08/12	Receive and review Court's Order advising that Defendants' motion to reconsider is under advisement and ordering plaintiffs to file a response; transmittal of same to clients	GDL	\$	.20
11/12/12	Finalize and E-File Plaintiffs' response to Defendants' Motion to Reconsider Court's Findings of Fact and proposed Order	GDL	\$	1.50
11/13/12	Receipt and review Reply to Response to Motion, filed by AMB-Trans Inc. and transmittal of same to clients; telephone call with clients regarding same	GDL		.5
11/14/12	Receipt and review of Order denying Motion and transmittal of text entry screen shot of same to clients; telephone call with clients regarding same	GDL		.5
11/29/12	Multiple Telephone call with Opposing counsel and review Review of Joint Motion to Extend; Telephone and copy to clients; GDL			.5
11/30/12	Review Text Order granting Extension, Telephone call with Clients re same; GDL			.5
12/01/12	Preparation of Trial brief GDL			7.0
12/02/12	Preparation of Trial Brief GDL			3.0
12/04/12	Preparation of Trial Brief GDL			9.0
12/05/12	Finalize Trial Brief Filing of same, Telephone call with clients re same GDL			5.5
1/08/12	Preparation of Motion for Fees and Affidavit for Fees GDL			1.5
1/10/12	Preparation of Motion for Fees and Affidavit for Fees GDL			1.0
1/11/12	Preparation of Motion for Fees and Affidavit for Fees GDL			2.5

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TOTALS			
	Recorded Time:	Rate:	Totals:
Glenn Levy – GDL	205.5	\$385	\$79,117.50
Larry Gee – Lgee	30.0	\$300	\$9,000.00
Adriana Lozano – AL	4.7	\$75	\$0
		TOTAL AMOUNT:	\$88,117.50